

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public services – T & A Department – Sri K. Siva Kumar, Typist, Dist. treasury, East Godavari appointed on compassionate grounds – Acquired Typewriting Telugu Higher Grade with a delay of 9 months – Delay condoned in relaxation of Rule 12 of A.P. State & Subordinate service Rules – Orders – Issued.

FINANCE (Admn.III) DEPARTMENT

G.O. Ms. No. 74

Dt. 23-3-2010

Read the following:

1. Orders of Hon'ble A.P.A.T. dt. 23-12-2009 in O.A.No. 10018 of 2008 filed by Sri K. Siva Kumar, Typist, O/o. Dist. Treasury, Kakinada, E.G. Dist.
2. Lr. No. a2/22203/2008, dt. 25-1-2010 from the DTA, Hyderabad.
3. Undertaking letter dt. 4-2-2010 given by Sri K. Sivakumar, Typist.

ORDER:

Sri K. Siva Kumar was allotted by the Dist. collector, East Godavari for appointment on compassionate grounds and he was appointed as Typist with a condition to acquire the Typewriting Higher Grade in Telugu within two years and joined duty on 1-12-2004.

2. As the individual could not acquire the said qualification within the said period, as per the orders issued in G.O.Ms.No.969, G.A. (Ser.A) Dept., dt. 27-10-1995, the individual was given another two years grace period which expires by 30-11-2008. He has not acquired the said qualification within the said period. Hence, the Deputy Director, Dist. Treasury, Kakinada issued show cause to the individual to exercise the option of the applicant to work in lower post of Attender from the post of Typist vide his Memo. No. A2/6763/01, dt. 17-11-2008. Aggrieved by the said show cause notice he filed present O.A.No. 10018/2008 and on interim orders of Hon'ble APAT he was continued as Typist. Subsequently he acquired the said qualification on 1-8-2009 with a delay of 9 months after filing the Counter in O.A. praying for dismissal of the O.A.

3. The Hon'ble APAT during the course of the arguments it was observed that the applicant has acquired the required qualification by 30-8-2009 and set aside the impugned orders and finally allowed the O.A. with the following:

“8. Moreover, the applicant is continuing in the post of Typist by virtue of the interim orders of the Tribunal and he is continuing as on today. As the applicant has acquired the requisite qualification and is being continued by virtue of the interim orders, the impugned orders of the 1st Respondent issued in Rc.No.A2/6763/2004, dt. 17-11-2008 directing the applicant to give his willingness for lower post, are liable to be set aside. They are accordingly set aside. The respondents are directed to continue the applicant as Typist and regularize his services from the date of his initial appointment as per rules. The O.A. is accordingly allowed.”

4. In view of the above orders of Hon'ble A.P.A.T. and also keeping in view the decisions taken earlier in similar cases, Government have decided to condone the delay of 9 months caused in acquiring Typewriting Telugu Higher Grade qualification by Sri K. Siva Kumar, Typist, O/o. Dist. Treasury, E.G. Dist. Kakinada if the individual gives undertaking of acceptance for regularizing his services from the date of acquisition of qualifications as per the orders issued in G.O.Ms. No. 151, G.A. (Ser.C) Dpt., dt. 22-6-2004.

5. Accordingly, the Deputy Director, Dist. Treasury, Kakinada **has taken an undertaking from the individual** and the same was obtained from the Dist. Treasury, Kakinada wherein the individual has stated that the Hon'ble APAT, Hyd. in O.A.No. 10018/2008 has ordered for regularization of his services from the date of his initial appointment i.e., from 1-12-2004. But he passed the Telugu Typewriting on 30-8-2009.

He accepted for regularization of his services from the date of acquisition of qualification i.e., 30-8-2009 as per the orders issued in G.O.Ms.No.151, G.A. (Ser.G) Dept. dated 22-6-2004 and he will not asked for implementation of the orders of Hon'ble APAT and also not approach either the Hon'ble APAT or A.P. High Court.

6. Government after careful examination of the matter hereby condone the delay of 9 months caused in acquiring the Typewriting Telugu Higher Grade qualification beyond the prescribed period of 4 years ending with 30-11-2008 in respect of Sri K. Shiva Kumar, Typist, o/o. Dist. Treasury, East Godavari, Kakinada subject to regularization of his services from the date of acquisition of qualification i.e., 30-8-2009 as per the orders issued in G.O.Ms.No. 151, G.A. (Ser.G) Dept. dt. 22-6-2004 in relaxation of Rule 12 r/w Rule 31 of A.P. State and Subordinate Rules, 1996.

7. The D.T.A., Hyderabad is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To
The Director of Treasuries & Accounts,
Hyderabad.

// Forwarded :: By Order //

SECTION OFFICER